



J. Kevin Stitt
Office of the Governor
State of Oklahoma

FILED

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**OKLAHOMA SECRETARY
OF STATE**

**EXECUTIVE DEPARTMENT
THIRD AMENDED EXECUTIVE ORDER 2021-04**

WHEREAS, the State of Oklahoma and many of the surrounding states are experiencing an extended period of extremely cold weather, which has resulted in an increased demand for liquefied petroleum gas, also referred to as "propane;" and certain other fuels; and

WHEREAS, distributors of liquified petroleum products and other fuels in the State of Oklahoma are already beginning to experience shortages in supply and transportation challenges; and

WHEREAS, many Oklahoman residents depend on the use of liquefied petroleum products and other fuels for survival during the winter months; and

WHEREAS, the limited suspension of certain hours of service regulations for drivers of commercial motor vehicles transporting liquefied petroleum products and other fuels in our state will ensure adequate supplies of liquefied petroleum products throughout the state, thereby reducing the damaging effects of a potential shortage;

NOW, THEREFORE, I, J. Kevin Stitt, Governor, pursuant to the power vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. § 683.1 *et seq.*, and pursuant to Part 390.23 of Title 49 of the Code of Federal Regulations, hereby declare that because there is a state of emergency existing in the State of Oklahoma due to limited supply of liquefied petroleum products and other fuels, including gasoline and diesel, it is necessary to assist and expedite all efforts of transportation of such products and other fuels throughout Oklahoma. In order to accommodate this need and to provide assistance to the citizens of Oklahoma in this extraordinary situation, I hereby order vehicles used in the support efforts to be exempt from Parts 390 through 399 of Title 49 of the Federal Motor Carrier Safety Regulations.

Declaration of this emergency provides relief, until its expiration, from Sections 390 through 399 of the Federal Motor Carrier Safety regulations for those interstate and intrastate carriers who are providing direct assistance to this emergency. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate or intrastate commerce to transport cargo not destined for the emergency relief effort, or when a motor carrier dispatches such driver or vehicle to a location outside the relief area.

Nothing contained in this declaration shall be construed as an exemption from the Controlled Substance and Alcohol Use and Testing requirements (49 C.F.R. Part 382), the Commercial Driver License requirements (49 C.F.R. Part 383), the Financial Responsibility

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requirements (49 C.F.R. Part 387), or any other portion of the regulations not specifically identified herein. Motor carriers that have an Out-Of-Service Order in effect cannot take advantage of the relief from regulation that this declaration provides.

While operating under this Order, drivers of commercial motor vehicles shall be required to spend a minimum of 8 hours in sleeper berth within any given 24-hour period. The duration of each timeframe spent in sleeper berth within each 24-hour period shall be at the discretion of each driver based in his/her needs, as long as the sum of all said sleeper berth totals a minimum of the required 8 hours.

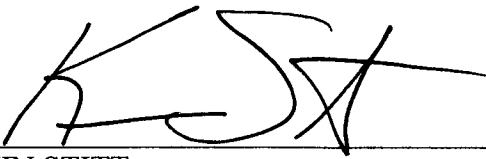
This Order applies primarily to the transportation of liquefied petroleum gas to provide direct assistance to this emergency. The only other fuels subject to this Order are those not under the exclusive jurisdiction of the Oklahoma Corporation Commission.

This emergency notice will remain in effect until 11:59 p.m. (ET) on March 12, 2021.

Copies of this Executive Order shall be distributed to the Director of the Oklahoma Department of Emergency Management, Oklahoma Corporation Commission, Oklahoma Department of Transportation, and the Oklahoma Department of Public Safety, who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 1st day of March, 2021.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



J. KEVIN STITT

ATTEST


BRIAN BINGMAN, SECRETARY OF STATE



The seal of the State of Oklahoma is circular, featuring a five-pointed star in the center. The words "SEAL OF THE STATE OF OKLAHOMA" are inscribed around the perimeter of the star, and the year "1907" is at the bottom.